



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/945,535	08/30/2001	Kie Y. Ahn	1303.026US1	2681
21186	7590	11/27/2006	EXAMINER	
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			RODGERS, COLLEEN E	
			ART UNIT	PAPER NUMBER
			2813	

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

sf

Office Action Summary	Application No. 09/945,535	Applicant(s) AHN ET AL.	
	Examiner Colleen E. Rodgers	Art Unit 2813	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-10,13-15,17-23,26-31,34-37,51,52,54-56 and 62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-10,13-15,17-23,26-31,34-37,51,52,54-56 and 62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/21/06, 9/12/06, 10/3/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 21 August 2006 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 5-7, 14, 15, 18-20, 51, 52, 55, 56 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ma et al** (USPN 6,207,589) in view of **Park** (USPN 5,795,808) and **Yano et al** (USPN 5,810,923).

Regarding claim 1, **Ma et al** disclose a method of forming a gate oxide on a transistor body region, comprising:

evaporation depositing [see col. 2, lines 54-55] a substantially amorphous and substantially single metal layer [see col. 2, lines 65-67; see also col. 3, lines 53-55 and 60-62] directly contacting the

Art Unit: 2813

body region, the metal being chosen from the group IVB elements of the periodic table, specifically zirconium; and

oxidizing the metal layer to form a metal oxide layer directly contacting the body region [see col. 3, lines 1-4].

Ma et al do not disclose wherein the evaporation deposition method is electron beam evaporation; furthermore, **Ma et al** is silent as to the surface roughness or smoothness. **Park** teaches depositing a metal layer, specifically zirconium (as in both **Ma et al** and the instant claims), by either sputtering or electron beam deposition [see col. 4, lines 22-27]. It would have been obvious to one of ordinary skill in the art at the time of invention to use e-beam evaporation deposition because **Park** demonstrates that they are art-recognized equivalent processes.

Furthermore, **Yano et al** teach evaporation deposition of a single metal layer [while $Zr_{1-x}R_xO_2$ is preferred, it is taught that x may be 0, thus a single metal layer; see the Abstract] and oxidizing the metal [see col. 9, lines 1-6] and teach that the surface roughness is up to 0.6 nm across the surface.

Yano et al teach a preferred crystalline metal rather than an amorphous metal, but also teach that it is known to make the metal amorphous. Furthermore, the instant specification teaches that the metal layer may be either amorphous or crystalline, with no criticality taught between the two types.

Note that where patentability is said to be based upon particular chosen dimensions or upon another variable recited in the claim, the Applicant must show that the chosen dimensions are critical. See *In re Woodruff*, 919 F.2d 1515, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990). One of ordinary skill in the art would look to one such as **Yano et al** to modify the teachings of **Ma et al** and **Park**, such that one of ordinary skill would expect, as per the teachings of **Yano et al**, that the processes of **Ma et al** and **Park** would yield a surface roughness as taught by **Yano et al**.

Art Unit: 2813

Regarding claim 2, the prior art of **Ma et al**, **Park** and **Yano et al** teach the method of claim 1, furthermore wherein the metal layer is zirconium [see **Ma et al**, col. 2, line 67; see also **Park**, col. 4, line 25].

Regarding claims 5 and 6, the prior art of **Ma et al**, **Park** and **Yano et al** teach the method of claim 1, furthermore wherein the deposition occurs at a temperature between 150 and 400°C [see **Yano et al**, wherein Zr is deposited at 300-700°C, which overlaps the instant range].

Regarding claim 7, the prior art of **Ma et al**, **Park** and **Yano et al** teach the method of claim 1, furthermore wherein oxidizing the metal layer includes oxidizing with atomic oxygen [see **Yano et al**, col. 21, lines 35-36].

Regarding claims 14 and 51, **Ma et al** disclose a method of forming a transistor [see Figs. 12 and 13] and the transistor formed thereby, comprising:

forming first and second source/drain regions [not shown; see col. 5, lines 42-43];

forming a body region 52 between the first and second source/drain regions;

evaporation depositing [see col. 2, lines 54-55] a substantially amorphous and substantially single metal layer [see col. 2, lines 65-67; see also col. 3, lines 53-55 and 60-62] directly contacting the body region, the metal being chosen from the group IVB elements of the periodic table, specifically zirconium; and

oxidizing the metal layer to form a metal oxide layer directly contacting the body region [see col. 3, lines 1-4]; and

coupling a gate to the metal oxide layer [see Fig. 13].

Ma et al do not disclose wherein the evaporation deposition method is electron beam evaporation; furthermore, **Ma et al** is silent as to the surface roughness or smoothness. **Park** teaches depositing a metal layer, specifically zirconium (as in both **Ma et al** and the instant claims),

Art Unit: 2813

by either sputtering or electron beam deposition [see col. 4, lines 22-27]. It would have been obvious to one of ordinary skill in the art at the time of invention to use e-beam evaporation deposition because **Park** demonstrates that they are art-recognized equivalent processes.

Furthermore, **Yano et al** teach evaporation deposition of a single metal layer [while $Zr_{1-x}R_xO_2$ is preferred, it is taught that x may be 0, thus a single metal layer; see the Abstract] and oxidizing the metal [see col. 9, lines 1-6] and teach that the surface roughness is up to 0.6 nm across the surface.

Yano et al teach a preferred crystalline metal rather than an amorphous metal, but also teach that it is known to make the metal amorphous. Furthermore, the instant specification teaches that the metal layer may be either amorphous or crystalline, with no criticality taught between the two types.

Note that where patentability is said to be based upon particular chosen dimensions or upon another variable recited in the claim, the Applicant must show that the chosen dimensions are critical. See *In re Woodruff*, 919 F.2d 1515, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990). One of ordinary skill in the art would look to one such as **Yano et al** to modify the teachings of **Ma et al** and **Park**, such that one of ordinary skill would expect, as per the teachings of **Yano et al**, that the processes of **Ma et al** and **Park** would yield a surface roughness as taught by **Yano et al**.

Regarding claim 15 and 52, the prior art of **Ma et al**, **Park** and **Yano et al** teach the method of claim 14 and the transistor of claim 51, furthermore wherein the metal layer is zirconium [see **Ma et al**, col. 2, line 67; see also **Park**, col. 4, line 25].

Regarding claims 18 and 19, the prior art of **Ma et al**, **Park** and **Yano et al** teach the method of claim 14, furthermore wherein the deposition occurs at a temperature between 150 and 400°C [see **Yano et al**, wherein Zr is deposited at 300-700°C, which overlaps the instant range].

Art Unit: 2813

Regarding claim 20, the prior art of **Ma et al**, **Park** and **Yano et al** teach the method of claim 14, furthermore wherein oxidizing the metal layer includes oxidizing with atomic oxygen [see **Yano et al**, col. 21, lines 35-36].

Regarding claim 55 and 62, **Ma et al** disclose a method of forming a gate oxide on a transistor body region, comprising:

evaporation depositing [see col. 2, lines 54-55] a substantially amorphous and substantially single metal layer [see col. 2, lines 65-67; see also col. 3, lines 53-55 and 60-62] directly contacting the body region, the metal being chosen from the group IVB elements of the periodic table, specifically zirconium; and

oxidizing the metal layer to form a metal oxide layer directly contacting the body region [see col. 3, lines 1-4].

Ma et al do not disclose wherein the evaporation deposition method is electron beam evaporation; furthermore, **Ma et al** is silent as to the surface roughness or smoothness. **Park** teaches depositing a metal layer, specifically zirconium (as in both **Ma et al** and the instant claims), by either sputtering or electron beam deposition [see col. 4, lines 22-27]. It would have been obvious to one of ordinary skill in the art at the time of invention to use e-beam evaporation deposition because **Park** demonstrates that they are art-recognized equivalent processes.

Furthermore, **Yano et al** teach evaporation deposition of a single metal layer [while $Zr_{1-x}R_xO_2$ is preferred, it is taught that x may be 0, thus a single metal layer; see the Abstract] and oxidizing the metal [see col. 9, lines 1-6] and teach that the surface roughness is up to 0.6 nm across the surface. **Yano et al** teach a preferred crystalline metal rather than an amorphous metal, but also teach that it is known to make the metal amorphous. Furthermore, the instant specification teaches that the metal layer may be either amorphous or crystalline, with no criticality taught between the two types.

Art Unit: 2813

Note that where patentability is said to be based upon particular chosen dimensions or upon another variable recited in the claim, the Applicant must show that the chosen dimensions are critical. See *In re Woodruff*, 919 F.2d 1515, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990). One of ordinary skill in the art would look to one such as **Yano et al** to modify the teachings of **Ma et al** and **Park**, such that one of ordinary skill would expect, as per the teachings of **Yano et al**, that the processes of **Ma et al** and **Park** would yield a surface roughness as taught by **Yano et al**.

Regarding claim 56, the prior art of **Ma et al**, **Park** and **Yano et al** teach the method of claim 55. **Ma et al**, **Park** and **Yano et al** are silent as to the range of the conduction band offset. However, as the process steps are identical and there is no teaching as to modifying the process to achieve the specified range, it is considered to be a range of common use, and one of ordinary skill in the art would know how to optimize the process to achieve this range. See *In re Aller*, previously cited.

4. Claims 8-10, 13, 21 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ma et al** (USPN 6,207,589), **Park** (USPN 5,795,808) and **Yano et al** (USPN 5,810,923) as applied to claims 1, 2, 5, 6, 14, 15, 18-20, 51, 52, 55, 56 and 62 above, and further in view of **Moise et al** (USPN 6,211,035).

Regarding claims 8, 21 and 54, the prior art of **Ma et al**, **Park** and **Yano et al** teach the methods of claims 1, 14 and 51 as described above. None of **Ma et al**, **Park** and **Yano et al** teach oxidizing in a krypton/oxygen mixed plasma. **Ma et al** teach annealing in an oxygen plasma containing inert gases such as argon and nitrogen [see col. 6, lines 64-65]. **Moise et al** teach oxidizing a metal layer with inert gases such as argon and krypton [see col. 12, lines 23-24]. It would

Art Unit: 2813

have been obvious to one of ordinary skill in the art at the time of invention to use krypton because **Moise et al** teaches that they are art-recognized equivalents.

Regarding claim 9, **Ma et al** disclose a method of forming a gate oxide on a transistor body region, comprising:

evaporation depositing [see col. 2, lines 54-55] a substantially amorphous and substantially single metal layer [see col. 2, lines 65-67; see also col. 3, lines 53-55 and 60-62] directly contacting the body region, the metal being chosen from the group IVB elements of the periodic table, specifically zirconium; and

oxidizing the metal layer to form a metal oxide layer directly contacting the body region [see col. 3, lines 1-4].

Ma et al do not disclose wherein the evaporation deposition method is electron beam evaporation, nor that the metal layer is oxidized using a krypton/oxygen mixed plasma; furthermore, **Ma et al** is silent as to the surface roughness or smoothness. **Park** teaches depositing a metal layer, specifically zirconium (as in both **Ma et al** and the instant claims), by either sputtering or electron beam deposition [see col. 4, lines 22-27]. It would have been obvious to one of ordinary skill in the art at the time of invention to use e-beam evaporation deposition because **Park** demonstrates that they are art-recognized equivalent processes. **Moise et al** teach oxidizing a metal layer with inert gases such as argon and krypton [see col. 12, lines 23-24]. It would have been obvious to one of ordinary skill in the art at the time of invention to use krypton because **Moise et al** teaches that they are art-recognized equivalents. Furthermore, **Yano et al** teach evaporation deposition of a single metal layer [while $Zr_{1-x}R_xO_2$ is preferred, it is taught that x may be 0, thus a single metal layer; see the Abstract] and oxidizing the metal [see col. 9, lines 1-6] and teach that the surface roughness is up to 0.6 nm across the surface. **Yano et al** teach a preferred crystalline metal rather than an amorphous

Art Unit: 2813

metal, but also teach that it is known to make the metal amorphous. Furthermore, the instant specification teaches that the metal layer may be either amorphous or crystalline, with no criticality taught between the two types. Note that where patentability is said to be based upon particular chosen dimensions or upon another variable recited in the claim, the Applicant must show that the chosen dimensions are critical. See *In re Woodruff*, 919 F.2d 1515, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990). One of ordinary skill in the art would look to one such as **Yano et al** to modify the teachings of **Ma et al** and **Park**, such that one of ordinary skill would expect, as per the teachings of **Yano et al**, that the processes of **Ma et al** and **Park** would yield a surface roughness as taught by **Yano et al**.

Regarding claim 10, the prior art of **Ma et al**, **Park**, **Yano et al** and **Moise et al** teach the method of claim 9, furthermore wherein the metal layer is zirconium [see **Ma et al**, col. 2, line 67; see also **Park**, col. 4, line 25].

Regarding claim 13, the prior art of **Ma et al**, **Park**, **Yano et al** and **Moise et al** teach the method of claim 9, furthermore wherein the deposition occurs at a temperature between 150 and 400°C [see **Yano et al**, wherein Zr is deposited at 300-700°C, which overlaps the instant range].

5. Claims 22, 23, 25-28, 30, 31 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ma et al** (USPN 6,207,589) in view of **Park** (USPN 5,795,808), **Yano et al** (USPN 5,810,923) and **Maiti et al** (USPN 6,020,024), furthermore in view of the admitted prior art (pages 1-4).

Regarding claims 22 and 30, **Ma et al** disclose a method of forming an information handling system comprising:

forming a processor;

Art Unit: 2813

forming a memory array, comprising:

a number of access transistors, comprising:

forming first and second source/drain regions [not shown in Figs. 12 and 13; see col. 5, lines 42-43];

forming a body region 52 between the first and second source/drain regions; evaporation depositing [see col. 2, lines 54-55] a substantially amorphous and substantially single metal layer [see col. 2, lines 65-67; see also col. 3, lines 53-55 and 60-62] directly contacting the body region, the metal being chosen from the group IVB elements of the periodic table, specifically zirconium; and

oxidizing the metal layer to form a metal oxide layer directly contacting the body region [see col. 3, lines 1-4]; and

coupling a gate to the metal oxide layer [see Fig. 13].

Ma et al do not disclose wherein the evaporation deposition method is electron beam evaporation, nor the formation of word lines, source lines and bit lines; furthermore, **Ma et al** is silent as to the surface roughness or smoothness. **Park** teaches depositing a metal layer, specifically zirconium (as in both **Ma et al** and the instant claims), by either sputtering or electron beam deposition [see col. 4, lines 22-27]. It would have been obvious to one of ordinary skill in the art at the time of invention to use e-beam evaporation deposition because **Park** demonstrates that they are art-recognized equivalent processes. **Maiti et al** teach that transistors formed of a metal oxide with a high-k metal oxide gate are commonly used for integrated circuits. The admitted prior art (pages 1-4) teaches that these devices are commonly used in integrated circuits, particularly for processor chips, mobile telephones and memory devices. These devices typically employ word lines, source lines bit lines and system busses. Furthermore, **Yano et al** teach evaporation deposition of a single

Art Unit: 2813

metal layer [while $Zr_{1-x}R_xO_2$ is preferred, it is taught that x may be 0, thus a single metal layer; see the Abstract] and oxidizing the metal [see col. 9, lines 1-6] and teach that the surface roughness is up to 0.6 nm across the surface. **Yano et al** teach a preferred crystalline metal rather than an amorphous metal, but also teach that it is known to make the metal amorphous. Furthermore, the instant specification teaches that the metal layer may be either amorphous or crystalline, with no criticality taught between the two types. Note that where patentability is said to be based upon particular chosen dimensions or upon another variable recited in the claim, the Applicant must show that the chosen dimensions are critical. See *In re Woodruff*, 919 F.2d 1515, 1578, 16 USPQ2d 1934, 1936 (Fed. Cir. 1990). One of ordinary skill in the art would look to one such as **Yano et al** to modify the teachings of **Ma et al** and **Park**, such that one of ordinary skill would expect, as per the teachings of **Yano et al**, that the processes of **Ma et al** and **Park** would yield a surface roughness as taught by **Yano et al**.

Regarding claims 23 and 31, the prior art of **Ma et al**, **Park**, **Yano et al** and **Maiti et al** teach the method of claims 22 and 30, respectively, furthermore wherein the metal layer is zirconium [see **Ma et al**, col. 2, line 67; see also **Park**, col. 4, line 25].

Regarding claims 26, 27, 34 and 35, the prior art of **Ma et al**, **Park**, **Yano et al** and **Maiti et al** teach the methods of claim 22 and 30, respectively, furthermore wherein the deposition occurs at a temperature between 150 and 400°C [see **Yano et al**, wherein Zr is deposited at 300-700°C, which overlaps the instant range].

Regarding claims 28 and 36, the prior art of **Ma et al**, **Park**, **Yano et al** and **Maiti et al** teach the methods of claim 22 and 30, respectively, furthermore wherein oxidizing the metal layer includes oxidizing with atomic oxygen [see **Yano et al**, col. 21, lines 35-36].

Art Unit: 2813

6. Claims 29 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ma et al** (USPN 6,207,589) in view of **Park** (USPN 5,795,808), **Yano et al** (USPN 5,810,923) and **Maiti et al** (USPN 6,020,024) as applied to claims 22, 23, 25-28, 30, 31 and 33-36 above, and further in view of **Moise et al** (USPN 6,211,035). The prior art of **Ma et al**, **Park**, **Yano et al** and **Maiti et al** teach the methods of claims 22 and 30 as described above. None of **Ma et al**, **Park**, **Yano et al** and **Maiti et al** teach oxidizing in a krypton/oxygen mixed plasma. **Ma et al** teach annealing in an oxygen plasma containing inert gases such as argon and nitrogen [see col. 6, lines 64-65]. **Moise et al** teach oxidizing a metal layer with inert gases such as argon and krypton [see col. 12, lines 23-24]. It would have been obvious to one of ordinary skill in the art at the time of invention to use krypton because **Moise et al** teaches that they are art-recognized equivalents.

Response to Arguments

7. Applicants' arguments filed 21 August 2006 have been fully considered but they are not persuasive. On pages 9-10 of the Remarks, Applicants argue that **Ma et al** do not teach the use of electron beam evaporation, and that there is a difference in surface roughness between the sputtering method and electron beam evaporation. The Examiner concedes that this is so; however, as cited above, **Ma et al** teach that evaporation deposition may be used as an alternative deposition method. Electron beam evaporation is essentially a species which falls under the genus of evaporation deposition, and **Ma et al** was modified using **Park**, to teach that it is electron beam evaporation deposition is a well-known process in the art for depositing a single metal layer of zirconium. Therefore, the rejection stands.

On page 10 of the Remarks, Applicants further argue that **Ma et al** teach a method of forming a doped metal oxide dielectric film, in particular zirconium doped with a trivalent metal

Art Unit: 2813

such as aluminum. The Examiner likewise concedes that this is so; however, while **Ma et al** discloses that metal oxide doped with a trivalent metal is **preferred**, single metal is known. This is reinforced by the fact that, as cited above, **Yano et al** teaches that it is known to oxidize an amorphous single metal layer. Therefore, the rejection stands.

Also on page 10 of the Remarks, Applicants argue that **Ma et al** teach away from oxidizing a deposited metal layer as causing crystallization of the oxide. The Examiner disagrees. **Ma et al** clearly state, as cited above, that the metal layer as evaporation deposited may be annealed in an oxygen atmosphere. Again, while the evaporation-deposition-and-oxygen-annealing method may not be preferred by **Ma et al**, it is taught by the reference. The rejection, therefore, stands.

Finally, on page 11 of the Remarks, Applicants argue that **Ma et al** disclose an interface barrier 62 of 2-5Å of silicon nitride or silicon oxynitride. The Examiner submits that this barrier layer is taught by **Ma et al** to be in "some aspects of the invention," and thus the barrier layer is optional. As shown in Figs. 14 and 15 of **Ma et al**, the deposited metal is formed in direct contact with the substrate with no barrier layer shown between. Therefore, the rejection stands.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Colleen E. Rodgers whose telephone number is (571) 272-8603. The examiner can normally be reached on Monday through Friday, 9:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead can be reached on (571) 272-1702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2813

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CER


CARL WHITEHEAD, JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800